

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY

MDL No. 05-1699

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL WITHOUT
PREJUDICE**

This document relates to:

BETTY CREEGER
Individual Case No. 3:06-cv-00940-CRB

Come now Plaintiff and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action without prejudice with each side bearing its own attorneys' fees and costs.

The parties hereby stipulate that should Plaintiff ever re-file Plaintiff's claim, Plaintiff will only re-file in the federal court.

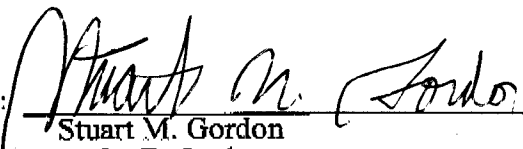
Dated: August 1, 2006

LAW OFFICES OF J. PRICE McNAMARA

By: 
J. Price McNamara
Attorneys for Plaintiff

Dated: August 15, 2006

GORDON & REES, LLP

By: 
Stuart M. Gordon
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 18th day of August 2006..

HONORABLE CHARLES R. BREYER
United States District Court Judge

